IN THE HIGH COURT OF CHHATTISGARH : AT BILASPUR.

(2)

WRIT PETITION NO. 297 of 2001.

Petitioner. ::: Virendra Kumar Singh son of Late Kamta Prasad Singh A-4 category Contractor Resident of Deviganj Ward- Ambikapur, Distt:- Sarguja (Chh.).

V E R S U S

RESPONDENTS. ::: 1). The State of Chhattisgarh, Through the secretary Water-Resources Dept. Dan Kalyan-Bhawan G.E. Road, Raipur (Chh.).

2). The Chief Engineer, Hasdeo Kachar, Water Resources-Dept. Bilaspur (Chh.).

3). The superintending Engineer, Water Resources Division, Shyam-Barnia Project, Division Ambikapur, District- Sarguja (Chh.).

4). The Executive Engineer, Water Resources Division, Surajpur, Distt: Sarguja (Chh.).

5). Shri Lal Babu Singh - A-5 Category Contractor, Kedarpur-Ambikapur, Distt: Sarguja (Chh.).

6). M/s. Shri Rani Sati Granite Co. Near Gurudwara, Manendragarh, Distt: Korea(Chh.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT OF AN APPROPRIATE NATURE LIKE MANDAMUS/CERTIORARI PROHIBITION ETC.

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(36)

आदेश पत्रक

मामला क्रमांक W.P. 297 सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23.11.2001 :

Shri Sunil Sinha learned counsel for the petitioner.

Shri Ranbir Singh learned GA for respondents 1 to 4.

Shri Prashant Mishra learned counsel for respondent no.5.

Shri Y.K.Munshi learned counsel with Shri B.P.Sharma for respondent no.6.

Heard.

Shri Sinha,learned counsel for the petitioner submits that the matter relates to contract in relation to construction work of left and right flank of Parashurampur. Petitioner further contends that the condition no. 3.10 imposed is not valid and is against the public policy and also against the rights and interest of the State. It is further submitted by the petitioner that if the said conditions are allowed to exist,it shall cause injustice and there would not be proper competition.

However,counsel for the respondents submitted that the petitioner itself has submitted the tender and did not raise any objection at the time of submission of the same. It is further submitted that such condition has been fulfilled by the respondents 5 and 6 and the same is warranted for suitability.

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[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक 297/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	It has been further pointed out that so far as the conditions of the tender are concerned, they have been made by the authorities of the State and are the job requirements. It is also submitted that respondents 5 and 6 have fulfilled those conditions. It is also contended that the petitioner is estopped from challenging the conditions after participating in the tender. ***Thus having considered the rival contentions of both the parties and after perusing the material available on record as noticed in the preceding paragraphs as the conditions are such which have been fulfilled by the respondents 5 and 6 and further that applicant participated and submitted the tender and this petition has been filed after due scrutiny already made, no case for interference under Articles 226/227 of the Constitution of India has been made out.*** ***Consequently, the petition fails and is accordingly dismissed.*** ***Certified photocopy.*** **Sd/-** **Chief Justice** **Sd/-** **Fakhruddin** **Judge**	

[पीछे देखिये